

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation )  
Against: )**

**Kathryn Ruth Challoner, M.D. )**

**Case No. 800-2018-044795**

**Physician's and Surgeon's )  
Certificate No. G 39498 )**

**Respondent )**

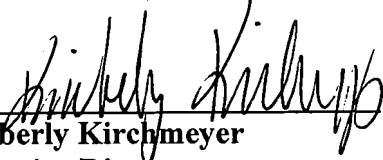
**DECISION**

**The attached Stipulated Surrender of License and Order is hereby  
adopted as the Decision and Order of the Medical Board of California,  
Department of Consumer Affairs, State of California.**

**This Decision shall become effective at 5:00 p.m. on September 5, 2019**

**IT IS SO ORDERED August 29, 2019**

**MEDICAL BOARD OF CALIFORNIA**

By:   
**Kimberly Kirchmeyer  
Executive Director**

1 XAVIER BECERRA  
Attorney General of California  
2 ROBERT MCKIM BELL  
Supervising Deputy Attorney General  
3 PEGGIE BRADFORD TARWATER  
Deputy Attorney General  
4 State Bar No. 169127  
California Department of Justice  
5 300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
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*Attorneys for Complainant*  
8

9  
10 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12  
13 In the Matter of the Accusation Against:

Case No. 800-2018-044795

14 KATHRYN RUTH CHALLONER, M.D.  
311 Carriage Place  
15 Manhattan Beach, CA 90266

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

16 Physician's and Surgeon's Certificate No. G  
39498,  
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Respondent.  
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19  
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
24 of California (Board). She brought this action solely in her official capacity and is represented in  
25 this matter by Xavier Becerra, Attorney General of the State of California, by Peggie Bradford  
26 Tarwater, Deputy Attorney General.

27 2. Kathryn Ruth Challoner, M.D. (Respondent) is represented in this proceeding by  
28 attorney Lucy S. McAllister, whose address is 255 N. Market Street, Suite 100, San Jose,

1 California 95110.

2 3. On June 18, 1979, the Board issued Physician's and Surgeon's Certificate No. G  
3 39498 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all  
4 times relevant to the charges brought in Accusation No. 800-2018-044795 and will expire on  
5 April 30, 2021, unless renewed.

6 **JURISDICTION**

7 4. Accusation No. 800-2018-044795 was filed before the Board, and is currently  
8 pending against Respondent. The Accusation and all other statutorily required documents were  
9 properly served on Respondent on April 19, 2019. Respondent timely filed her Notice of Defense  
10 contesting the Accusation. A copy of Accusation No. 800-2018-044795 is attached as Exhibit A  
11 and is incorporated by reference.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, fully discussed with counsel, and understands the  
14 charges and allegations in Accusation No. 800-2018-044795. Respondent also has carefully read,  
15 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License  
16 and Order.

17 6. Respondent is fully aware of her legal rights in this matter, including the right to a  
18 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine  
19 the witnesses against her; the right to present evidence and to testify on her own behalf; the right  
20 to the issuance of subpoenas to compel the attendance of witnesses and the production of  
21 documents; the right to reconsideration and court review of an adverse decision; and all other  
22 rights accorded by the California Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
24 every right set forth above.

25 **CULPABILITY**

26 8. Respondent understands that the charges and allegations in Accusation No. 800-2018-  
27 044795, if proven at a hearing, constitute cause for imposing discipline upon her Physician's and  
28 Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up her right to contest that cause for discipline exists based on those charges.

10. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Physician's and Surgeon's Certificate without further process.

## CONTINGENCY

11. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

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**ORDER**

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 39498, issued to Respondent Kathryn Ruth Challoner, M.D. is surrendered and accepted by the Board.

1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2018-044795 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2018-044795 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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**ACCEPTANCE**

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Lucy S. McAllister. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED:

July 23<sup>rd</sup> 2019

Kathryn Ruth Challoner  
KATHRYN RUTH CHALLONER, M.D.  
Respondent

I have read and fully discussed with Respondent Kathryn Ruth Challoner, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

7/23/2019

L. S. McAllister  
LUCY S. McALLISTER  
Attorney for Respondent

**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated:

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
ROBERT MCKIM BELL  
Supervising Deputy Attorney General

PEGGIE BRADFORD TARWATER  
Deputy Attorney General  
Attorneys for Complainant

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**Exhibit A**

**Accusation No. 800-2018-044795**



1 XAVIER BECERRA  
Attorney General of California  
2 ROBERT MCKIM BELL  
Supervising Deputy Attorney General  
3 PEGGIE BRADFORD TARWATER  
Deputy Attorney General  
4 State Bar No. 169127  
California Department of Justice  
5 300 South Spring Street, Suite 1702  
Los Angeles, California 90013  
6 Telephone: (213) 269-6448  
Facsimile: (213) 897-9395  
7 E-mail: Peggie.Tarwater@doj.ca.gov  
*Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO April 19 20 19  
BY [Signature] ANALYST

9  
10 BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
11 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

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13 In the Matter of the Accusation Against:

Case No. 800-2018-044795

14 KATHRYN RUTH CHALLONER, M.D.

ACCUSATION

15 311 Carriage Place  
16 Manhattan Beach, California 90266

17 Physician's and Surgeon's Certificate G 39498,

18 Respondent.

19  
20 Complainant alleges:

21 PARTIES

- 22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
23 capacity as the Executive Director of the Medical Board of California (Board).
- 24 2. On June 18, 1979, the Board issued Physician's and Surgeon's Certificate Number G  
25 39498 to Kathryn Ruth Challoner, M.D. (Respondent). That license was in full force and effect at  
26 all times relevant to the charges brought herein and will expire on April 30, 2019, unless renewed.

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4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

“If a licensing agency determines that its licensee’s ability to practice his or her profession safely is impaired because the licensee is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

**“(b) Suspending the licentiate’s right to practice.**

“(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

"The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated."

(Inability to Practice Medicine Due to Illness)

7. On or about June 7, 2018, Respondent reported to the Board that she was currently unable to safely practice medicine and requested a suspension from practice.

8. In a letter dated December 10, 2018, Respondent's treating physician indicated that

1 Respondent suffers from chronic illnesses that render her unable to safely practice medicine.

2 **PRAYER**

3 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
4 and that following the hearing, the Medical Board of California issue a decision:


5 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 39498,  
6 issued to Kathryn Ruth Challoner, M.D.;

7 2. Revoking, suspending or denying approval of Kathryn Ruth Challoner, M.D.'s  
8 authority to supervise physician assistants and advanced practice nurses;

9 3. If placed on probation, ordering Kathryn Ruth Challoner, M.D. to pay the Board the  
10 costs of probation monitoring; and

11 4. Taking such other and further action as deemed necessary and proper.

12  
13 DATED: April 19, 2019

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

Complainant

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